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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/909,550

07/20/2001

Pradeep Shrikrishna Limaye

716-445us

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12/09/2005

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EXAMINER

LEE, ANDREW CHUNG CHEUNG

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action SummaryApplication No. **09/909,550**

Applicant(s)

LIMAYE ET AL.

Examiner

Andrew C. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 12-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3-5 and 12-15 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Specification

1. Claims 1, 12, 13 are objected to because of the following informalities:
 - Regarding claim 1, the subject matter “SDN” disclosed in line 9 and line 11 as disclosed on page 2 of Applicant arguments or remarks made in an amendment dated 08/10/2005 is incorrect.
 - Regarding claim 12, the subject matter “SDN” disclosed in lines 8 – 9 as disclosed on page 3 of Applicant arguments or remarks made in an amendment dated 08/10/2005 is incorrect.
 - Regarding claim 13, the subject matter “SDN” disclosed in line 2 and line 4 as disclosed on page 3 of Applicant arguments or remarks made in an amendment dated 08/10/2005 is incorrect.

Appropriate correction is required.

Claim Objections

2. Claims 1, 12, 13 are objected to because of the following informalities:
 - Regarding claim 1, the subject matter “SDN” disclosed in line 9 and line 11 as disclosed on page 2 of Applicant arguments or remarks made in an amendment dated 08/10/2005 is incorrect.
 - Regarding claim 12, the subject matter “SDN” disclosed in lines 8 – 9 as disclosed on page 3 of Applicant arguments or remarks made in an amendment dated 08/10/2005 is incorrect.

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- Regarding claim 13, the subject matter "SDN" disclosed in line 2 and line 4 as disclosed on page 3 of Applicant arguments or remarks made in an amendment dated 08/10/2005 is incorrect.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1, 12, 13, 14, 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

- Regarding claim 1, the subject matter " a first working STS-N" as disclosed in line 8, " a second working STS-1" as disclosed in line 9 and line "a third working STS-1" as disclosed in line 11 of page 2 of Applicant arguments or remarks made in an amendment dated 08/10/2005;
- Regarding claim 12, the subject matter "SONET/SDN working" as disclosed in lines 8 and 9 of page 3 of Applicant arguments or remarks made in an amendment dated 08/10/2005;

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- Regarding claim 13, the subject matter "SONET/SDN working" as disclosed in lines 2 and 4 respectively of page 3 of Applicant arguments or remarks made in an amendment dated 08/10/2005;
- Regarding claim 14, the subject matter "SONET/SDH working" as disclosed in line 2 of page 3 and line 2 of page 4 of Applicant arguments or remarks made in an amendment dated 08/10/2005;
- Regarding claim 15, the subject matter "SONET/SDH working" as disclosed in lines 8, 9, 12 respectively of page 4 of Applicant arguments or remarks made in an amendment dated 08/10/2005.

The amended subject matters are not disclosed explicitly in the original specification and in the drawings.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3, 4, 5, 12 – 15 are rejected under 35 U.S.C. 102(e) as being anticipated over Chi et al. (US 6654341 B1)

Regarding claim 1, Chi et al. disclose the limitation of a telecommunications network (Fig. 6) comprising: a first SONET/SDH ring that comprises a first plurality of

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nodes (Fig. 6; column 2, lines 53 – 55), wherein said first SONET/SDH ring defines a first address space and wherein each of said first plurality of nodes is identified by a unique address in said first address space (column 4, lines 35 – 41; line 54; lines 57 – 59); and a second SONET/SDH ring that comprises a second plurality of nodes (column 2, lines 55 – 56), and an optical fiber that carries a first working STS-N that comprises: (1) a second working STS-1 that is associated with said first SONET/SDH ring (column 5, lines 37 – 38; Fig. 11, column 6, lines 1 – 8), and (2) a third working STS-1 that is associated with said second SONET/SDH ring (column 5, lines 38 – 39; Fig. 11, column 6, lines 1 – 8), wherein second SONET/SDH ring defines a second address space and wherein each of said second plurality of nodes is identified by a unique address in said second address space (column 4, lines 35 – 41; lines 54 – 55) ; wherein there are at least two nodes that have an address in the address space of said first SONET/SDH ring and an address in the address space of said second SONET/SDH ring (column 2, lines 59 – 62).

Regarding claim 3, Chi et al. disclose the limitation of the telecommunications network of claim 1 further comprising an optical fiber that carries a first STS-N that comprises: (1) a first automatic protection switching channel that is associated with said first SONET/SDH ring (column 4, lines 57 – 59), and (2) a second automatic protection switching channel that is associated with said second SONET/SDH ring (column 4, lines 60 – 64).

Regarding claim 4, Chi et al. disclose the limitation of the telecommunications network of claim 1 further comprising an optical fiber that carries a first STS-N (column 2, lines 5 – 9) that comprises: (1) the K₁ and K₂ line overhead bytes that are

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associated with said first SONET/SDH ring (column 2, lines 10 – 14; column 5, lines 18 – 21; lines 37 – 38), and (2) the K₁ and K₂ line overhead bytes that are associated with said second SONET/SDH ring (column 2, lines 10 – 14; column 5, lines 18 – 21; lines 38 – 39).

Regarding claim 5, Chi et al. disclose the limitation of a telecommunications network comprising: a first SONET/SDH ring (column 2, line 53 - 54); and a second SONET/SDH ring (column 2, lines 55 – 56); an optical fiber that carries: (1) a first STS-1 that is associated with said first SONET/SDH ring (column 5, lines 23 – 25), and (2) a second STS-1 that is associated with said second SONET/SDH ring (column 5, lines 25 – 27; lines 29 – 30).

Regarding claims 12, 14, Chi et al. disclose the limitation of a method of operating a time-division multiplexed telecommunications system (column 4, lines 11 – 13), said method comprising: receiving a first optical carrier signal that comprises a first source address and a first destination address in a first address space (column 4, element 414, lines 29 – 41); receiving a second optical carrier signal that comprises a first source address and a first destination address in a second address space (column 4, element 416, lines 29 – 41); multiplexing said first optical carrier signal and said second optical carrier signal into a frame (column 2, lines 20 – 26); and transmitting said frame (column 2, lines 24 – 26); wherein said first optical carrier signal in said frame comprises a second source address and a second destination address in said first address space (column 4, element 414, lines 38 – 40; lines 42 – 45); and wherein said second optical carrier signal in said frame comprises a second

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source address and a second destination address in said second address space (column 4, element 416, lines 40 – 41).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 13, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chi et al. (US 6654341 B1) in view of Ichihashi (US 6535529 B1).

Regarding claims 13, 15, Chi et al. disclose the limitation of the method of claim further comprising: receiving said frame (column 4, lines 20 – 22); transmitting said first optical carrier signal, wherein said first optical carrier signal as transmitted comprises a third source address and a third destination address in said first address space (column 4, lines 35 – 38; column 6, lines 10 – 14); and transmitting said second optical carrier signal, wherein said second optical carrier signal as transmitted comprises a fourth source address and a fourth destination address in said second address space (column 4, lines 35 – 38; column 6, lines 14 – 23). Chi et al. do not disclose expressly demultiplexing said first optical carrier signal and said second optical carrier signal from said frame. Ichihashi discloses the limitation of demultiplexing said first optical carrier signal and said second optical carrier signal from the frame (column 6, lines 4 – 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chi et al. to include a

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demultiplexing said first optical carrier signal and said second optical carrier signal from the frame such as that taught by Ichihashi in order to provide a network technique capable of preventing erroneous connections during line setting operation in a network constituted by including a transfer apparatus having a cross connected function (as suggested by Ichiashi, see column 1, lines 7 –11).

Response to Arguments

9. Applicant's arguments with respect to claims 1, 3, 4, 5, 12, 13, 14, 15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACL

Dec 01, 2005


Ajit Patel
Primary Examiner